

REMARKS

Claims 1-35 currently remain pending in the above-identified application. To place this application in better condition for consideration as provided under 37 C.F.R. 1.116(b), applicants request they be allowed to amend claims 1, 2, 4-6, 8, 10, 14, 16-18, 20, 21-26, and 32. Ample antecedent basis exists in the specification and drawings for the amendments so applicants have added no new matter.

Before proceeding to address the examiner's rejections, applicants will briefly summarize their invention to assist the examiner in better appreciating the differences between applicants' invention and the art of record. As recited in amended claim 1, applicants have provided a method for producing a live or live-to-tape show by first enabling the creation of instructions that define at least one set of production commands that comprise at least one segment file that includes production commands, which when executed produce a segment of the show. Each segment file comprises at least one scripted portion that includes commands activated in relation to a script that undergoes scrolling for display under control of an operator, and at least one non-scripted portions that includes commands activated independent of the script, each segment having a duration which is defined by execution of said instruction sequence under the control of a human operator

35 U.S.C. 102(e) Rejection of Claims 1-15, 18-21 and 24-31

Claims 1-15, 18-21 and 24-31 now stand Finally Rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent 6,198,906, issued March 6, 2001, from an application filed October 7, 1996, in the name of Gerard J. Boetje et al. Applicants request reconsideration of the rejection in view of the requested amendments to the claims.

The Boetje et al. patent describes a technique for enabling a programmer to schedule previously produced broadcast content according to relative sequential orderings. A programmer identifies the content , the desired time to play, and the manner of play. This information and the relationship therebetween undergo modeling to establish a structure that governs content scheduling.

In rejecting claims 1-15, 18-21 and 24-31, the examiner contends that the structure Boetje et al. obtain by modeling the content identity, playback time and playback format forms a script. Moreover, the execution of a command, such as the TAKE command, by Boetje et al. constitutes command activation in relation to such a script.

While applicants do not necessarily agree that the integrated structure created by Boetje et al. for scheduling media playback constitutes a script, applicants nonetheless have amended independent claims 1, 8, 10, 18, and 26 to recite a method for producing a live or live-to-tape show in which the show script undergoes scrolling for display under control of an operator, as described at pages 26 and 27 of applicants' application. Nowhere in their patent do Boetje et al. teach or suggest a method for producing a live or live-to-tape show, let alone a show in which the script undergoes scrolling for display under control of the operator. At best, Boetje generate an integrated structure that constitutes a schedule for controlling the playback of previously recorded events. No scrolling or display of the integrated structure of Boetje occurs.

In summary, the Boetje et al. patent fails to disclose all of the features now recited in applicants' amended claims 1, 8, 10, 18, and 26, and the claims that depend therefrom. Accordingly, applicants request withdrawal of the 35 U.S.C. 102(e) rejection of claims 1-15, 18-21 and 24-31.

35 U.S.C. 103(a) Rejection of Claims 16-17, 22-23 and 32-35

Claims 16-17, 22-23 and 32-35 stand Finally Rejected under 35 U.S.C. 103(a) as obvious in view of the Boetje et al. patent. With respect to claims 16-17 and 32, the examiner contends that the Boetje et al. patent teach all of the features of these claims except for voice recognition which would have been obvious to the skilled artisan. As for claims 22-23, the examiner contends that the Boetje et al. patent teaches all of the features of these claims except Internet distribution, which would have been obvious to the skilled artisan. With regard to claims 33-35, the examiner contends the Boetje et al. system includes commands that meet the limitations of these claims.

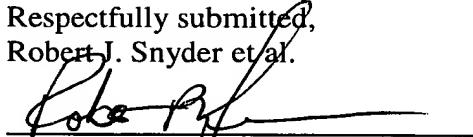
As discussed above with respect to the 35 U.S.C. 102(e) rejection, applicants have amended claims 16-17, 18, and 32 to recite the feature of producing a live or live-to-tape show in which the script undergoes scrolling for display under control of the operator. The Boetje et al. patent does not disclose or suggest these features. In the absence of any disclosure or suggestion in the Boetje et al. patent of producing a live or live-to-tape show in which the script undergoes scrolling for display under control of the operator, applicants' claims 16-17, 18, and 32, and the claims that depend therefrom patentably distinguish over the art of record. Withdrawal of the 35 U.S.C. 103(a) rejection of claims 16-17, 22-23 and 32-35 is requested.

Conclusion

In view of the foregoing remarks, applicants respectfully solicit reconsideration of the rejection and allowance of the claims. If, however, the Examiner believes that such action cannot be taken, the examiner is invited to contact the applicant's attorney at (609) 734-6820 to arrange for a mutually convenient date and time for a telephonic interview.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
Robert J. Snyder et al.


By: Robert B. Levy
Reg. No. 28,234
Phone (609) 734-6820

Patent Operations
Thomson Licensing Inc.
2 Independence Boulevard - Suite 2
Princeton, New Jersey 08540
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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop -AF, Commissioner for Patents, Alexandria, Virginia 22313-1450 on: _____

8/26/04
Date

Linda Tindall
Name
Linda Tindall